

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL SAMUEL JOHNSON,

Petitioner,

v.

CDCR,

Respondent.

No. 2:20-cv-01891 WBS GGH P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254. The matter was referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and Local Rule 302(c).

Petitioner seeks immediate release from prison due to the conditions in prison created by the current coronavirus (“COVID-19”) pandemic. Petitioner argues his “continue confinement in light of the COVID-19 Pandemic, which poses dire health risks, constitutes an unreasonable risk of future harm—serious illness, pain, suffering, and death—violating the constitutional protections of the Eighth Amendment[.]” ECF No. 1 at 7.

Review of the court’s records confirms petitioner has a closed habeas action in Johnson v. Jared, 2:20-cv-00934-KJM-AC raising similar claims and requesting immediate release from prison due to the COVID-19 pandemic. In his pending petition, petitioner includes exact copies of

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1 his motion for reconsideration as in his previous habeas action. See Johnson v. Jared, 20-cv-
2 00934-KJM-AC (ECF No. 29). Local Rule 190(d) of the Eastern District Local Rules requires
3 that a habeas petition “in the same matter” be reassigned to the judge hearing the prior habeas
4 action.

5 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to transfer
6 and reassign petitioner’s petition for writ of habeas corpus to Chief Judge Mueller and Magistrate
7 Judge Claire for adjudication. The Clerk shall make any appropriate adjustment in the assignment
8 of habeas cases.

9 Dated: November 6, 2020

10 /s/ Gregory G. Hollows
11 UNITED STATES MAGISTRATE JUDGE
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